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17169 U.S. PTO

PTO/SB/05 (10/04)

Approved for use through 07/31/2006. OMB 0651-0032
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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	P-022-US5
First Inventor	Martin S. LINSELL
Title	INTERMEDIATE FOR PREPARING GLYCOPEPTIDE DERIVATIVES
Express Mail Label No.	EV 399287591 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 172]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. Oath or Declaration [Total Sheets 3]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☒ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Application Cover Sheet

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No: 10 / 092,088Prior application information: Examiner David LUKTONArt Unit: 1653For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☒ Customer Number27038OR ☐ Correspondence address below

Name Joyce G. Cohen, Reg. No. 44,622

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City South San Francisco

State CA

Zip Code 94080

Country USA

Telephone

(650) 808-6000

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(650) 808-6078

Name (Print/Type)

Joyce G. Cohen

Registration No. (Attorney/Agent)

44,622

Signature

Joyce Cohen

Date

April 15, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="font-size: small; margin-top: 10px;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	Not yet assigned
		Filing Date	On Even Date Herewith
		First Named Inventor	Martin S. LINSELL
		Examiner Name	Not yet assigned
		Art Unit	Not yet assigned
TOTAL AMOUNT OF PAYMENT (\$) 385		Attorney Docket No.	P-022-US5

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																						
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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Joyce G. Cohen	Registration No. (Attorney/Agent)	44,622	Telephone	(650) 808-6000
Signature	<i>Joyce Cohen</i>	Date	April 15, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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By: Barbara Bryant Date: April 15, 2004
Barbara Bryant

NONPROVISIONAL PATENT APPLICATION

Title: INTERMEDIATE FOR PREPARING GLYCOPEPTIDE DERIVATIVES

Inventors: Martin S. LINSELL

Agent: Joyce G. Cohen, Reg. No. 44,622

Customer No. 27038

Status: Small Entity

Firm Theravance, Inc.
901 Gateway Boulevard
South San Francisco, CA 94080

Telephone (650) 808-6000

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By : Barbara Bryant Date: April 15, 2004
Barbara Bryant

PATENT
Attorney Docket No. P-022-US5
Customer No. 27038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Martin S. LINSELL)	Group Art Unit: To be assigned
)	
Application No.: To be assigned)	Examiner: To be assigned
(Continuation of U.S. 10/092,088))	
)	
Filed: On Even Date Herewith)	
)	
For: INTERMEDIATE FOR PREPARING)	
GLYCOPEPTIDE DERIVATIVES)	

STATEMENT REGARDING DELETION OF INVENTOR(S)
PURSUANT TO 37 C.F.R. §1.48(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

Applicant hereby requests that the inventorship of the above-identified patent application be amended to delete the names of those persons who are not inventors of the presently claimed subject matter.

Specifically, Applicant requests that the inventorship be amended to delete J. Kevin Judice, Paul Ross Fatheree, Bernice M.T. Lam, Michael R. Leadbetter, YongQi Mu, Sean Gary Trapp, Guang Yang, and Yan Zhu. These persons were correctly named

as inventors in the parent application, U.S. Serial No. 10/092,088, but they are not inventors of the invention now being claimed in the present application.

The remaining and sole inventor for the present application is Martin S. Linsell.

In the event that any fees are required by the filing of this paper, the Commissioner is hereby authorized to charge the processing fee set forth in §1.17(i) for this amendment to Deposit Account No. 50-0344. Additionally, the Commissioner is hereby authorized to charge any additional fees required by this paper, or to credit any overpayment, to Deposit Account No. 50-0344.

Respectfully submitted,

THERAVANCE, INC.

Date: April 15, 2004

By: Joyce Cohen
Joyce G. Cohen, Reg. No. 44,622

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